

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACUSETTS

BUDKENSON FRANCOIS,)
Plaintiff,)
v.) CIVIL No.
PAUL REVERE TRANSPORTATION, LLC,)
ROCHELLE GORCHECK, RICHARD DALEY)
and THOMAS GEDAMINSKY,)
Defendants.)

NOTICE OF REMOVAL

TO: The Justices of the United States District Court for the District of Massachusetts:

Pursuant to 28 U.S.C. § 1446, Defendants Paul Revere Transportation, LLC (“Paul Revere”), Rochelle Gorcheck, Richard Daley, and Thomas Gedaminsky (collectively, “Defendants”) by and through their undersigned counsel, hereby remove the action captioned Budkenson Francois v. Paul Revere Transportation, LLC, Rochelle Gorcheck, Richard Daley and Thomas Gedemansky, Civil No. 2284CV01934, now pending in Suffolk Superior Court, Commonwealth of Massachusetts, to the United States District Court for the District of Massachusetts.¹ In so doing, the Defendants state:

1. The Plaintiff, Budkenson Francois, filed this action in Suffolk Superior Court, on or about August 17, 2022. The Defendants were served on September 20, 2022. A copy of all process, pleadings and orders served on the Defendants in the matter is attached hereto as Exhibit A.

2. This is a complaint brought by the plaintiff, a current employee of Paul Revere. Plaintiff alleges unlawful disability discrimination in violation of the Americans with Disabilities

¹ Plaintiff misspelled Ms. Gorcheck’s and Mr. Gedaminsky’s names.

Act, 42 U.S.C. § 12101 et seq., as amended, and in violation of the M.G.L. Chapter 151B, §1, et seq.

3. The above-described action is a civil action of which this court has original and supplemental jurisdiction under the provisions of 28 U.S.C. § 1331 and 1337, and removal is authorized under 28 U.S.C. § 1441, in that the action arises under the laws of the United States, under a law regulating commerce.

4. Pursuant to 28 U.S.C. § 1446(b)(1), this notice of removal is timely as it is filed within thirty (30) days of receipt of the complaint.

5. Pursuant to 28 U.S.C. § 1446, a copy of this Notice of Removal is being filed with the Suffolk Superior Court. A copy of the Notice of Filing the Notice of Removal is attached hereto as Exhibit B. In accordance with 28 USC § 1446(d), Defendants will give written notice to Plaintiff by contemporaneously serving this Notice of Removal on Plaintiff's counsel.

6. Pursuant to Local Rule 81.1, the Defendants will file certified or attested to copies of all papers that have been filed in state court and a certified or attested to copy of all docket entries in state court.

WHEREFORE, Defendants Paul Revere Transportation, LLC, Rochelle Gorcheck, Richard Daley, and Thomas Gedaminsky respectfully request that the above action now pending against them be removed from Superior Court, Suffolk County, Commonwealth of Massachusetts to this Court and that it proceed herein.

Respectfully submitted,

PAUL REVERE TRANSPORTATION, LLC,
ROCHELLE GORCHECK, RICHARD DALEY,
and THOMAS GEDAMINSKY,
By their Attorneys,

//s// Laurie F. Rubin

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Dated: October 11, 2022

CERTIFICATE OF SERVICE

This hereby certifies that on this 11th day of October 2022, this document, filed through the ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as nonregistered participants.

//s// Laurie F. Rubin
Laurie F. Rubin